

# **MINUTES**

## **THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI February 8, 2011**

### **INTRODUCTORY**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on February 8, 2011, at 7:00 p.m. Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Jim Lawson gave the invocation.

### **ROLL CALL**

City Clerk Westfall called roll: Mayor Presley presiding, Rick Davis, Mike Booth, Sandra Williams, Bob Simmons, Chris Bohinc and Rick Todd present.

Also present from the City were: City Administrator Dean Kruithof, City Attorney William Duston, City Clerk Lisa Westfall, Communications Director Jerry Adams, Information Technology Director D.J. Cline, Parks and Recreation Director Cindy Shook, Fire Chief Carl Sparks, Economic Development Director Garrett Anderson, Planning and Development Director Jim Lawson, Police Chief Carroll McCullough, Finance and Personnel Director Lori Helle and Utilities Director Mike Ray.

### **SPECIAL RECOGNITION**

Mayor Presley and Garrett Anderson recognized the Boy Scouts for their volunteer work on the Lakeside Forest Project.

### **EMPLOYEE OF THE MONTH**

Alderman Simmons presented Chad Forster of the IT Department as the February Employee of the Month in recognition for serving other employees of the city with excellence and professionalism when they have telephone, computer or other technical issues.

### **RETIREMENT ANNOUNCEMENT**

Administrator Kruithof announced that Fire Chief Carl Sparks will be retiring in May and Police Chief Carroll McCullough will be retiring in June. Administrator Kruithof thanked Fire Chief Sparks and Police Chief McCullough for their dedication and service.

### **PUBLIC COMMENT**

Mayor Presley began the Public Comments section of the Board of Aldermen meeting by stating the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

There were no speakers this evening.

## CONSENT AGENDA

Mayor Presley asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Presley asked if any member of the Board had any items they wished to have removed from the Consent Agenda. Alderman Williams requested the January 25, 2011 Regular Meeting minutes and Bill No. 3904 be removed from the Consent Agenda and placed as the first and second items Regular Agenda respectively. Mayor Presley asked City Clerk Westfall to read the items on the Consent Agenda as amended. City Clerk Westfall read the following Consent Agenda items by title.

### Approval of the Board of Aldermen Minutes:

- a) January 20, 2011 Study Session

### Acknowledge Receipt of Minutes:

- a) Capital Improvement Committee meeting of November 8, 2010
- b) Outside Agency Funding Committee meeting of January 18, 2011

### SUBSTITUTE BILL NO. 3899

**Ord. No. 2011-022      Amending Chapter 58 of the Branson Municipal Code pertaining to nuisances.**

Final reading of Substitute Bill No. 3899, an ordinance amending Chapter 58 of the Branson Municipal Code pertaining to nuisances was read by title by City Clerk Westfall. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried. Ordinance No. 2011-022 was duly enacted.

### BILL NO. 3901

**Ord. No. 2011-023      Approving a Planned Development Amendment to PD 2005-003 Audubon Place and Covered Bridge Resort.**

Final reading of Bill No. 3901, an ordinance approving a Planned Development Amendment to PD 2005-003 Audubon Place and Covered Bridge Resort was read by title by City Clerk Westfall. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried. Ordinance No. 2011-023 was duly enacted.

### BILL NO. 3902

**Ord. No. 2011-024      Approving enrollment with Microsoft for Enterprise Licensing.**

Final reading of Bill No. 3902, an ordinance approving enrollment with Microsoft for Enterprise Licensing and authorizing the Mayor to execute the Enrollment Agreement was read by title by City Clerk Westfall. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried. Ordinance No. 2011-024 was duly enacted.

City Clerk Westfall stated that concludes the reading of the Consent Agenda. Mayor Presley opened the floor for a motion to approve all items on the Consent Agenda as amended. Alderman Bohinc moved to approve, seconded by Alderman Todd. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

## **REGULAR AGENDA**

### **Amending the Regular Board of Aldermen Minutes of January 25, 2011.**

Alderman Williams moved to amend the minutes of January 25, 2011, by replacing the words Mayor Presley with Mayor Pro Tem Davis under Lori Helle's 2010 Year-End Financial Report, seconded by Alderman Booth. Mayor Presley called for a vote on the amendment of the minutes of January 25, 2011. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried. Alderman Williams moved to approve the amended minutes of January 25, 2011, seconded by Alderman Davis. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Voting aye: Davis, Booth, Williams, Simmons and Todd. Nays: none. Abstain: Bohinc. Motion carried.

**Alderman Simmons left the meeting at 7:27 p.m.**

#### **BILL NO. 3904**

**Ord. No. 2011-025**

#### **Accepting the proposal of American Concrete Products pertaining to the concrete to be used at the Branson Lakeside RV Park.**

Final Reading of Bill No. 3904, an ordinance accepting the proposal of American Concrete Products pertaining to the concrete to be used at the Branson Lakeside RV Park and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Mayor Presley stated the record should reflect that Alderman Simmons has left the room for the discussion. Mayor Presley asked for a motion approving Bill No. 3904. Alderman Williams moved to approve, seconded by Alderman Booth. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Voting aye: Davis, Booth, Williams, Bohinc and Todd. Nays: none. Absent: Simmons. Motion carried. Ordinance No. 2011-025 was duly enacted.

**Alderman Simmons returned to the meeting at 7:29 p.m.**

#### **BILL NO. 3900**

#### **Amending Chapter 46, Sections 46-551 and 46-555 of the Branson Municipal Code pertaining to containers. (Postponed from the January 25, 2011 agenda)**

First Reading of Bill No. 3900, an ordinance amending Chapter 46, Sections 46-551 and 46-555 of the Branson Municipal Code pertaining to containers was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof. Mayor Presley stated this bill was postponed at the January 25, 2011, meeting in order to be brought back with revisions. Bill No. 3900 has been revised and is now ready for its first reading, motion, second and a vote. Mayor Presley asked for a motion approving Bill No. 3900. Alderman Simmons so moved, seconded by Alderman Davis. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

**BILL NO. 3903****Accepting the proposal of The World Wide Technology pertaining to computer software for the City of Branson. (Postponed from the January 25, 2011 agenda)**

First Reading of Bill No. 3903, an ordinance accepting the proposal of The World Wide Technology pertaining to computer software for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and DJ Cline. Mayor Presley asked for a motion approving Bill No. 3903. Alderman Williams so moved, seconded by Alderman Booth. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

**PRESENTATION OF QUARTERLY UPDATE (2010 4<sup>th</sup> QUARTER) FROM BILL DERBINS ON THE CONVENTION CENTER, AS REQUIRED BY CONTRACT.**

A presentation was made by Bill Derbins for the quarterly update on the Convention Center, as required by contract. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments or questions from the Board. Discussion.

**PRESENTATION BY KENT WOLVEN REGARDING RECYCLING AT THE BRANSON HOUSING AUTHORITY.**

Mona Menezes provided an introduction and a presentation was made by Kent Wolven regarding recycling at the Branson Housing Authority. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments or questions from the Board. Discussion.

**BILL NO. 3905****Accepting the proposal of Salvation Army pertaining to the provision of services to provide temporary emergency help for the needy.**

First Reading of Bill No. 3905, an ordinance accepting the proposal of Salvation Army pertaining to the provision of services to provide temporary emergency help for the needy and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof. Mayor Presley asked for a motion approving Bill No. 3905. Alderman Bohinc moved to approve, seconded by Alderman Davis. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

**BILL NO. 3906****Accepting the proposal of the Women's Crisis Center pertaining to the provision of services to provide temporary emergency help for the needy.**

First Reading of Bill No. 3906, an ordinance accepting the proposal of the Women's Crisis Center pertaining to the provision of services to provide temporary emergency help for the needy and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof. Mayor Presley asked for a motion approving Bill No. 3906. Alderman Simmons so moved, seconded by Alderman Todd. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments

from the Board. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

**BILL NO. 3907**

**Accepting the proposal of Branson Arts Council pertaining to the provision of services for community arts and cultural activities.**

First Reading of Bill No. 3907, an ordinance accepting the proposal of Branson Arts Council pertaining to the provision of services for community arts and cultural activities and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof. Mayor Presley asked for a motion approving Bill No. 3907. Alderman Davis so moved, seconded by Alderman Bohinc. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

**BILL NO. 3908**

**Approving the renewal of the contract with Ozarks Coca-Cola/Dr. Pepper Bottling Co. for merchandise for resale.**

First Reading of Bill No. 3908, an ordinance approving the renewal of the contract with Ozarks Coca-Cola/Dr. Pepper Bottling Co. for merchandise for resale was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Cindy Shook. Mayor Presley asked for a motion approving Bill No. 3908. Alderman Bohinc so moved, seconded by Alderman Simmons. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

## **DISBURSEMENTS**

Mayor Presley stated the next item was review of disbursements for November 24, 2010, through January 14, 2011, and asked if there were any questions regarding the disbursements. [See Master File for copies of disbursements.] Mayor Presley asked for a motion acknowledging the receipt of disbursements from November 24, 2010, through January 14, 2011. Alderman Simmons so moved, seconded by Alderman Davis. Discussion. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried.

## **MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS**

Alderman Booth mentioned he met with the Taney County Airport Committee and commented there has been some discussion in the past about the profitability of the Airport. He stated the profit and loss statement shows that the airport actually breaks even. Alderman Booth commented there has been some misunderstanding about the Taney County Airport losing money and stated this is not the case as the airport must report capital expenditures as an expense item so it just appears as a significant loss. Alderman Booth commented the Taney County Airport is doing really well and said the airport appreciates the support of the City. Alderman Booth stated the sales tax numbers are being released tomorrow and it will look like there is a large increase in sales tax, but this is really not the case.

Alderman Williams thanked the staff for their efforts on snow removal on city streets. Administrator Kruithof mentioned that approximately \$50,000 has been spent on snow removal so far, which encompasses equipment maintenance, repair and staff time.

Alderman Simmons also thanked the staff for their excellent job on snow removal. Mayor Presley commented she was very impressed with the snow removal as well.

Alderman Bohinc stated it will be tough losing Fire Chief Carl Sparks and Police Chief Carroll McCullough as City of Branson staff, wished them both the best and commented she is happy they are staying in the community.

Alderman Todd mentioned he received the 2010 Fire Rescue Report from the Fire Department and stated he was impressed by the report and commended the Fire Department staff for their efforts. He expressed his appreciation for the vision of the Fire Department.

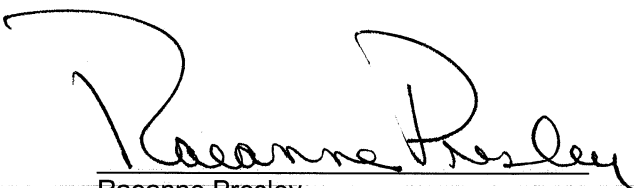
Alderman Davis complimented the Public Works staff for street cleaning and offered congratulations to Fire Chief Carl Sparks and Police Chief Carroll McCullough on their retirement. Alderman Davis asked Administrator Kruithof for clarification and an analysis of all of the dollar amounts being spent from various reports such as visitor spending, convention center reports, CVB reports, airport reports and internal information based on tax dollar spending.

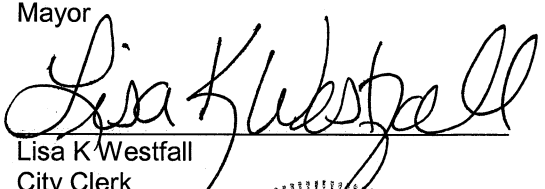
Administrator Kruithof stated he received a critique on our performance plans and measurements for the budget and would like to include it with the budget. Administrator Kruithof stated an energy performance contract memo will be coming out in a few days for the Board to review as it was supposed to be discussed at the last study session which was canceled due to the snow.

Mayor Presley stated the Fire Department Annual Banquet is Saturday night. She commented this is a wonderful celebration and encouraged everyone to attend. Mayor Presley reminded everyone the joint luncheon with the City of Hollister will be this Thursday and encouraged everyone to attend. She mentioned the Planning and Zoning meeting is also Thursday night and the Comprehensive Plan Committee will be meeting Thursday afternoon.

## ADJOURN

Mayor Presley asked for a motion to adjourn. Alderman Todd moved to adjourn, seconded by Alderman Booth. Voting aye: Davis, Booth, Williams, Simmons, Bohinc and Todd. Nays: none. Motion carried. Meeting adjourned at 9:29 p.m.

  
Raeanne Presley  
Mayor

  
Lisa K Westfall  
City Clerk

